CHAPTER WISE
TOPIC WISE
SOLVED MCQs
With Detailed Explanations

For All States

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MASTER GUIDE
JUDICIAL SERVICE EXAMINATIONS
(PRELIMINARY)
VOL - II

BEST CHOICE FOR

A Master Collection of Exams Questions for
Judicial, HJS, APO, Civil Judge, District Judge, NET, Law Officer, LLM Entrance, AIBE & All Law Competitions

Dr. P.K. Pandey

SUBJECTS COVERED

Constitution of India
Indian Penal Code
Indian Contract Act
Jurisprudence
Family Laws : Hindu Law, Muslim Law etc.

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For All States
Chapter Wise
Topic Wise
Sloved MCQs
With Detailed Explanations

Master Guide

2019 Edition

JUDICIAL SERVICE

EXAMINATION (PRELIMINARY)

VOL - II

by

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PREFACE

The analysis of current trend of judicial examinations evidences that the questions in these examinations are being asked repetitively *i.e.* either wholly copied from earlier examinations (including examinations of other States) or with minor modifications. In such circumstances, the study and explanation of previous examination question is need of hour to get success. With this objective, the present book, containing only the questions asked in various Law examinations of majority of the Indian States/UTs, has been prepared. The book contains questions chapter wise-topic wise with up-to-date explanations as under-

Indian Constitution

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Total	**620**

It is confidently expected that this book will be very useful for qualifying any judicial service examination. I am highly grateful to Mr. Amit Jain for bringing this book in attractive form.

Though due precautions have been taken in preparing this book but mistakes cannot be completely refused. I will be highly thankful to those readers who bring into our knowledge any mistake crept in this book at: mahaveerpub@gmail.com

Dr. P.K. Pandey

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CONSTITUTION OF INDIA

Indian Constitution: Preliminary

1. Which Indian artist decorated the hand written copy of the Constitution?
   (A) Mihir Sen
   (B) S.N. Banergi
   (C) Mukesh Bandhopadhyaya
   (D) Nand Lal Bose

[Uttarakhand HJS (Pre) Exam., 2017]

Ans. (D) Nand Lal Bose

Explanation: Nandalal Bose, a disciple of Abanindranath Tagore, is known to have taken up the task of beautifying the original manuscript of the Constitution of India.

2. Absolutism means-
   (A) the state or quality of being absolute
   (B) a sort of government in which public power is vested in some person or persons, unchecked and uncontrolled by any law or institution
   (C) unconditional power or sovereignty vested in a monarch, an autocrat or an oligarchy
   (D) All of the above

[29th Bihar J.S. (Pre) Exam., 2016]

Ans. (D) All of the above

Explanation: Absolutism is a political system in which unrestricted power is vested in a monarch, dictator, etc.

3. Which among the following is described as 'Lawyers' Paradise?
   (A) Constitution of India
   (B) Indian Penal Code
   (C) Criminal Procedure Code
   (D) Supreme Court of India

[Tripura J.S. (Grade-III) Written Exam., 2008]

Ans. (A) Constitution of India

Explanation: Because of some not clearness in the Constitution of India, Sir Ivor Jennings called it "Paradise of lawyers".

4. Which was the first country to have a written Constitution?
   (A) UK (B) USA
   (C) France (D) Russia

[Assam J.S. (Grade-III) Pre. Exam., 2017]

Ans. (B) USA

Explanation: The oldest written Constitution of an independent nation was the US Constitution which was adopted and ratified in 1787.

5. In India we follow-
   (A) Adversary system of justice
   (B) Inquisitional system of justice
   (C) Amicus Curia system of justice
   (D) Both (A) and (B)

[Tripura J.S. (Grade-III) Written Exam., 2008]

Ans. (A) Adversary system of justice

Explanation: The system of trial in U.S., U.K., and India follow the adversarial system of trial whereas France follows inquisitorial system of trial.

6. India inherited the adversarial system from-
   (A) UK (B) USA
   (C) Portuguese (D) None of the above

[Assam J.S. (Grade-I) (Pre) Exam., 2015]

Ans. (A) UK

Explanation: India inherited the adversarial system from Common Law System.

7. Who was the first Governor General of free India?
   (A) Sri C. Rajagopalachari
   (B) Lord Mountbatten
   (C) Dr. Rajendra Prasad
   (D) None of these

[Tripura J.S. (Grade-III) Pre. Exam., 2015]

Ans. (B) Lord Mountbatten

Explanation: Lord Mountbatten was the last Viceroy of British India and first Governor General of free India. He was succeeded by C. Rajagopalachari, the first and last Indian Governor General of free India.

8. What is the meaning of 'Lex Loci'?
   (A) Law of land
   (B) Sovereignty is essential for enacting laws
   (C) Law of the land is supreme
   (D) Crown has supreme authority

[Tripura J.S. (Grade-III) Written Exam., 2008]

Ans. (A) Law of land

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INDIAN PENAL CODE

Crime: Definition, Essentials and Stages

1. Who is associated with drafting of Indian Penal Code?
   (A) Lord Macaulay (B) Mullah
   (C) Sir H.S. Mayne (D) Frederick Pollock
   [U.P. HJS (Pre) Exam., 2012]

Ans. (A) Lord Macaulay

Explanation: In chairmanship of Lord Macaulay, the First Law Commission prepared draft of the Penal Code for India and submitted to the Governor General of India in Council on 14 October 1837.

2. Who is associated with drafting of the Indian Penal code?
   (A) Pollack (B) Maine
   (C) Mullah (D) Macaulay
   [Chandigarh ADA Exam., 2015]

Ans. (D) Macaulay

Explanation: The draft of Indian Penal Code was prepared by the First Law commission, chaired by Thomas Babington Macaulay in 1835.

3. Who is associated with Drafting of Indian Penal Code?
   (A) Lord Macaulay (B) Mulla
   (C) Sir B.S. Maine (D) Fredrick Pollock
   [Tripura J.S. Grade-III Written Exam., 2015]

Ans. (A) Lord Macaulay

Explanation: The draft of the Indian Penal Code was prepared by the First Law Commission, chaired by Thomas Babington Macaulay.

4. Who prepared the first draft of Indian Penal Code?
   (A) Canning (B) Stephen
   (C) Bentinck (D) Macaulay
   [Odisha J.S. Pre. Exam., 2016]
   [Uttarakhand C.J. (Pre) Exam., 2013]

Ans. (D) Macaulay

Explanation: See explanation of above question.

5. Who drafted Indian Penal Code?
   (A) Sir James Stephens
   (B) Macaulay (C) Justice Coke
   (D) Mount Batten
   [Assam J.S. (Grade-III) Pre. Exam., 2017]

Ans. (B) Macaulay

Explanation: The draft of the Indian Penal Code was prepared by the First Law Commission, chaired by T.B. Macaulay in 1835.

6. According to _____ "a crime is a violation of public rights and duties due to the whole community".
   (A) Sir William Blackstone
   (B) Prof. Glanville Williams
   (C) Sir Kenny
   (D) Sir Russell
   [Odisha J.S. Pre. Exam., 2013]

Ans. (A) Sir William Blackstone

Explanation: The above definition is given by Sir William Blackstone. But later his definition was slightly altered by the learned editor of Blackstone, *Serjeant Stephen*, who expresses it as: 'A crime is a violation of a right considered in reference to the evil tendency of such violation as regards the community at large.'

7. Crime is a-
   (A) Private Wrong
   (B) Public Wrong
   (C) Civil Wrong
   (D) None of the above
   [Assam J.S. (Grade-I) (Pre) Exam., 2015]

Ans. (B) Public Wrong

Explanation: Crime is a public wrong.

8. With reference to Crime response the following-
   (A) it is a state wrong
   (B) it is a civil wrong
   (C) it is a private wrong
   (D) none of above
   [Haryana J.S. (Pre) Exam., 2011]

Ans. (A) it is a state wrong

Explanation: Crime is an act or omission which is public in nature *i.e.* committed against society or the State and which is made punishable by the State. Since crime is a state wrong, therefore the accused are prosecuted by the State itself.

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